

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF IDAHO POWER)	CASE NO. IPC-E-22-02
COMPANY'S APPLICATION REGARDING)	
THE ENERGY SALES AGREEMENT WITH)	NOTICE OF APPLICATION
SHINGLE CREEK LLC, FOR THE SALE)	
AND PURCHASE OF ELECTRIC ENERGY)	NOTICE OF MODIFIED
FROM THE SHINGLE CREEK HYDRO)	PROCEDURE
PROJECT)	
)	ORDER NO. 35331

On February 04, 2022, Idaho Power Company ("Company") requested Commission approval or rejection of a replacement Energy Sales Agreement ("ESA") between the Company and Shingle Creek LLC ("Seller") concerning the purchase of electricity generated from the Shingle Creek Hydro Project ("Facility") located near the town of Riggins, Idaho. *Application* at 1. The Facility is a qualifying facility under the Public Utility Regulatory Policies Act of 1978 ("PURPA"). *Id.*

The Commission now issues Notice of Application and Notice of Modified Procedure and establishes deadlines for interested persons to comment and for the Company to reply.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Company represents that the Facility has been delivering energy to the Company in accordance with a PURPA ESA that was executed on May 8, 2017. *Id.* at 4. The Company further represents that the Seller has agreed to a maximum capacity amount of 222 kilowatts which is equal to the capacity amount of the current ESA which expires on July 31, 2022. *Id.*

YOU ARE FURTHER NOTIFIED that the Company represents that, on January 24, 2022, it and the Seller executed a new ESA for a five-year term using the non-levelized, non-seasonal hydro published avoided cost rates established in Order No. 35052 for replacement contracts and for energy deliveries of less than ten average megawatts. *Id.* at 4. The Company states that the replacement ESA "is a new contract for a new term and current terms and conditions." *Id.* at 2.

YOU ARE FURTHER NOTIFIED that the Company indicates that the replacement ESA contains payment for capacity during the full term of the ESA. The Company states that the

NOTICE OF APPLICATION
NOTICE OF MODIFIED PROCEDURE
ORDER NO. 35331

Facility is currently interconnected and selling energy to the Company and that the ESA specifies a Scheduled First Energy Date and Scheduled Operation Date for the Facility of August 1, 2022. *Id.* at 4.

YOU ARE FURTHER NOTIFIED that the Application and supporting documentation are available for public inspection during regular business hours at the Commission's office. These documents are also available on the Commission's website at www.puc.idaho.gov. Click on the "ELECTRIC" icon, select "Open Cases," and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201-204 of the Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that persons desiring to state a position on this Application may file a written comment explaining why they support or oppose the Application. Persons who would like a hearing must specifically request a hearing in their written comments. **Persons shall have until March 31, 2022, to file written comments.** Comments must be filed through the Commission's website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission's website at www.puc.idaho.gov. Click the "Case Comment Form" and complete the form using the case number as it appears on the front of this document. To file comments by email, email the Commission Secretary and the Company at the email addresses listed below. If computer access is unavailable, then comments may be mailed to the Commission and Company at these addresses:

**For the Idaho Public Utilities
Commission:**

Commission Secretary
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074
secretary@puc.idaho.gov

Street Address for Express Mail:

11331 W. Chinden Blvd.
Building 8, Suite 201-A
Boise, ID 83714

For the Company:

Donavan E. Walker
1221 West Idaho Street (83702)
P.O. Box 70
Boise, ID 83707
dwalker@idahopower.com
dockets@idahopower.com

Energy Contracts
1221 West Idaho Street (83702)
P.O. Box 70
Boise, ID 83707
energycontracts@idahopower.com

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **by April 7, 2022.**

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

ORDER

IT IS HEREBY ORDERED that the Company's Application be processed by Modified Procedure, Rules 201-204 (IDAPA 31.01.01.201-.204). Persons shall have until March 31, 2022, to file written comments, and the Company shall have until April 7, 2022, to file a reply.

IT IS FURTHER ORDERED that the parties should continue to comply with Order No. 35058, issued June 3, 2021. All pleadings should be filed with the Commission electronically and shall be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should also be accomplished electronically. Voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 1st day
of March 2022.



ERIC ANDERSON, PRESIDENT

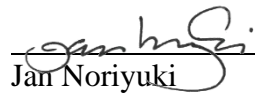


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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